

REMARKS

Applicant thanks the Examiner for the very thorough consideration given the present application. Claims 1-19 and 21-23 are now present in this application. Claims 1 and 21 are independent. By this amendment, claims 1, 2, 3, and 21 have been amended, and claims 22 and 23 have been added.

Information Disclosure Citation

Applicant thanks the Examiner for considering the references supplied with the Information Disclosure Statement filed June 29, 2007, and for providing Applicant with an initialed copy of the PTO-SB08 form filed therewith.

Claim Objections

The Examiner has objected to claims 2 and 21 because of several informalities. In order to overcome this objection, Applicant has amended claims 2 and 21 in order to correct the deficiencies pointed out by the Examiner. Claims 1 and 3 have been amended to address the same deficiencies. Reconsideration and withdrawal of this objection are respectfully requested.

Rejection Under 35 U.S.C. § 112, 2nd Paragraph

Claims 1-19 and 21 stand rejected under 35 U.S.C. § 112, 2nd Paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language is unclear. In order to overcome this rejection, Applicant has amended claims 1 and 21 to correct each of the deficiencies specifically pointed out by the Examiner. Applicant respectfully submits that the claims, as amended, particularly point out and distinctly claim the subject matter that Applicant regards as the invention.

Regarding claim 8, Applicant respectfully submits that claim 6 requires that each of said support arms includes a pair of fulcrum arms extending upwardly diagonally therefrom and that claim 7 requires each pair of fulcrum arms to have a trapezoidal plate. Therefore, Applicant submits that two trapezoidal plates have been claimed.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejection Under 35 U.S.C. §§ 102 and 103

Claims 1, 3, 5-6, 11, 14-16, 18, 18, and 21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Schwein. Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwein in view of Forsythe. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

Applicant respectfully submits that Schwein fails to show or describe all features of the claimed invention set forth in independent claim 1 including "a lifting frame pivotally attached to said main frame, said lifting frame including a lever arm and a pair of spaced-apart lifting arms directly connected to the lever arm", "the pair of spaced-apart lifting arms of the lifting frame in conjunction with the pair of spaced-apart support arms of the main frame defining a spool receiving volume in the rear of the loading system", and "a support rack attached to said lifting arms, said support rack comprising a pair of spaced-apart rack members." Similarly, Schwein fails to show or describe all features of the claimed invention set forth in independent claim 21.

Regarding the claimed lifting frame, the Office Action states that Schwein discloses a lifting frame 49 including a lever arm 64 and a pair of spaced-apart lifting arms 72 directly connect to the lever arm. Applicant respectfully submits that this application of Schwein is not supported by FIG. 1 of Schwein. In particular, only one support arm 72 is directly connected to frame assembly 64. Both support arms 72 are not connected to the same member and therefore Schwein does not disclose "a lifting frame pivotally attached to said main frame, said lifting frame including a lever arm and a pair of spaced-apart lifting arms directly connected to the lever arm."

Regarding the claimed receiving volume for a spool (claim 1) or a load (claim 21), the Office Action states that Schwein discloses the spaced-apart lifting arms 72, in conjunction with the support arms, defines a spool receiving volume in the rear of the loading apparatus. Applicant respectfully submits that the arrangement of the support arms 72 of Schwein and the pair of lateral support members 32 cannot define the claimed receiving volume in the rear of the

loading system. Specifically, as shown in FIG. 1, the support arms 72 and the lateral support members 32 extend in opposite directions about frame 64. Because the support arms 72 and the lateral support members 32 are on opposite sides of the frame 64, they cannot define a receiving volume. Furthermore, because the support arms 72 and the lateral support members 32 are on opposite sides of frame 64, they cannot all be in the rear of the loading system. Consequently, Schwein does not show or describe the claimed receiving volume in the rear of the loading system.

Finally, the Office Action states that Schwein shows or describes a support rack 42, 44 attached to the lifting arms 72. Applicant respectfully submits that, as shown in FIG. 1, the elements labeled 42, 44 are just extensions of lift arms, and appear to be made of the same box shape. Therefore, the elements labeled 42, 44 are not "attached" to the lifting arms 72 as they are the same. For this reason, Schwein fails to show or describe the claimed support racks.

For all of the foregoing reasons, Schwein fails to show or describe the claimed loading system. Forsythe was cited for teaching features unrelated to the deficiencies above, and therefore, Forsythe fails to overcome the noted deficiencies.

With regard to dependent claims 2-19, Applicant submits that claims 2-19 depend, either directly or indirectly, from independent claim 1, which is allowable for the reasons set forth above, and therefore claims 2-19 are allowable based on their dependence from claim 1.

Reconsideration and allowance of claims 1-19 and 21 are respectfully requested.

Allowable Subject Matter

The Examiner states that claims 4, 7-10, 12, 13, and 17 would be allowable if rewritten in independent form and amended to overcome the rejection under 35 U.S.C. § 112, 2nd Paragraph.

Applicant thanks the Examiner for the early indication of allowable subject matter in this application. However, claims 4, 7-10, 12, 13, and 17 have not been rewritten in independent form at this time, since it is believed that independent claim 1, from which these claims depend is allowable.

Claims 22 and 23

Claims 22 and 23 have been added for the Examiner's consideration. Applicant submits that claims 22 and 23 depend, either directly or indirectly, from independent claim 1, and are therefore allowable based on their dependence from claim 1, which is believed to be allowable.

In addition, claims 22 and 23 recite further limitations which are not disclosed or made obvious by the applied prior art references.

Consideration and allowance of claims 22 and 23 are respectfully requested.

Additional Cited References

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot.

Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chad D. Wells, Registration No. 50,785, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

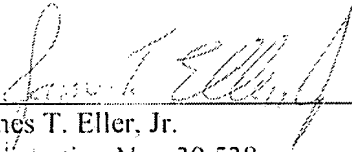
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: October 19, 2007

Respectfully submitted,

By 

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